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OFFICE OF PETITIONS

In re Application of	:	
Andrew L. Pearlman	:	DECISION GRANTING
Application No. 09/995,217	:	PETITION
Filed: March 5, 2002	:	
Attorney Docket No. 701030-15	:	

This is a decision on the petition under 37 CFR 1.182, filed July 23, 2002, requesting that the above-identified application be accorded the later filing date of March 5, 2002, the date omitted Figures 4 and 5A were filed with the United States Patent and Trademark Office (Office).

On November 27, 2001, applicant deposited the above-identified application. However, on January 30, 2002, the Office of Initial Patent Examination mailed a "Notice of Omitted Item(s)," stating that the application had been accorded a filing date of November 27, 2001, and advising applicant that Figures 4 and 5A appeared to have been omitted from the application.

In the present application, applicant requests that the above-identified application be accorded the later filing date of March 5, 2002, the date omitted Figures 4 and 5A were filed with the Office. On August 28, 2002, applicant submitted a "Second Supplemental Request for Reconsideration of Decision on Petition." However, on November 8, 2002, William Squire, attorney of record, requested in a telephone conversation with Senior Petitions Attorney Christina Tartera Donnell, that the Office withdraw "Supplemental Request" from consideration on its merits. Therefore, the Office considered only the merits of the present petition submitted on July 23, 2002.

The petition is **granted**.

The \$130.00 petition fee is being charged to Deposit Account No. 03-0678, as authorized by the petition.

The application is being returned to the Office of Initial Patent Examination for further processing and **to correct the filing date to March 5, 2002**, using Figures 1-3B and 5B-18C submitted on November 27, 2001, and Figures 4 and 5A filed on March 5, 2002. The record should indicate that 24 sheets of drawings were filed on March 5, 2002. Additionally, a copy of a corrected filing receipt should be mailed to applicant indicating the corrected filing date of March 5, 2002.

Any inquiries related to this decision should be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy